

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re MBIA INC. SECURITIES LITIGATION : x Civil Action No. 05-CV-03514(LLS)

: :

This Document Relates To: : **ECF Case**

: :

ALL ACTIONS. : **CLASS ACTION**

x NOTICE OF MOTION AND UNOPPOSED
MOTION FOR PRELIMINARY APPROVAL
OF SETTLEMENT

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Lead Plaintiffs hereby move for entry of an order preliminarily approving the Settlement Agreement dated August 24, 2012 (the "Stipulation"); approving the form and manner of notice to the Class; and scheduling a final settlement hearing date.

This motion is based upon this Motion, the accompanying Memorandum of Law in Support of Unopposed Motion for Preliminary Approval of Settlement, the Stipulation and supporting exhibits, the papers and filings on record in this matter and such additional evidence or argument as may be presented at the hearing.

DATED: September 4, 2012

Respectfully submitted,

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& DOWD LLP
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Additional Counsel for Lead Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2012, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 4, 2012.

s/ Samuel H. Rudman

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Mailing Information for a Case 1:05-cv-03514-LLS

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Anthony Capone

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